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09/818,708	03/27/2001	Richard Adelson	ADELSON-1	9915

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EXAMINER
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NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/818,708

Applicant(s)

ADELSON ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08/10/05.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 7-23 and 25-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-23, 25-57 is/are rejected.
- 7) ☒ Claim(s) 58 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

This is in response to communication 08/10/05.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-5, 7-23, 25-57 have been considered, and updated the search, the allowed subject matter has been withdrawn. they are moot in view of the new ground(s) of rejection.

#### **1. Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 1-5, 7-23, 25-36, 40-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landry (U.S 5956700) in view of Spencer (US 5197002) and further in view of Owens et al. (US 6092055).**

Regarding claims 1 and 41, Landry discloses the system and method for processing account information contained in batch process files in an on-line like manner, said method comprising:

reading at least one batch file containing a plurality of records (payor records), each of said plurality of records an associated with one of a plurality of accounts<sup>1</sup> (payoraccount) (col. 12, lines 66 to col. 13, lines 60).

However, Landry didn't disclose: creating a work queue which includes index-like entries which identify each of the plurality of staged records of plurality of accounts. On the other hand, Spencer discloses: creating a work queue which includes index-like entries which identify each of the plurality of staged records of plurality of accounts (col. 5, lines 24-39, Spencer). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step creating a work queue which includes index-like entries which identify each of the plurality of staged records of plurality of accounts in the system Landry as taught by Spencer. The motivation being to enable the system provided the queue technology for billing record to assure processing of received records in the order they are received and to provide some time buffering of the billing records if such records arrive faster than they can be processed.

In addition, Landry/Spencer discloses: identifying which of said plurality of records relate to same ones of said plurality of accounts (col. 13, lines 60 to col. 14, lines 16, Landry);

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<sup>1</sup> reading at least one batch file containing a plurality of records, each of said plurality of records associated with one of a plurality of accounts as payor source account record associated with a payor record, that record includes an account code, status field, payer bankID, payorAccountID see col. 12, lines 66 to col. 13, lines 60.

processing each of said records identified as relating to said selected one of said accounts prior to processing any of said records relating to any other of said plurality of accounts (col. 13, lines 35-60, Landry).

However, Landry/Spencer didn't disclose: selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing said restricted access to said selected account after all of said records identified as related to said selected account are processed. On the other hand, Owens discloses: selecting one of said accounts in accordance with a control cycle and restricting access selected account (col. 5, lines 42-52, Owens) and removing said restricted access to said selected account after all of said records identified as related to said selected account are processed (col. 5, lines 53-58, Owens). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing the restricted account in the system Landry/Spencer as taught by Owens. The motivation being to enable the system that locks an account while the account is being billed and then releases the account for providing a clean accounting close for a real time transaction processing system (col. 1, lines 65 to col. 2, lines 1, Owens).

In addition, Landry/Spender/Landry discloses: generating distinct account tables form the plurality accounts (col. 5, lines 40-55, Spencer);

Landry/Spender/Landry discloses: wherein, the step of selecting one of said accounts in accordance with a control cycle and restricting access to said selected

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account includes de-queuing the account to be processed(col. 7, lines 20-44, Spencer) and (col. 5, lines 53-58, Owens). The motivation being to enable the system has capable of dequeuing the records to be processed.

Regarding claims 2 and 42, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: further comprising the step of: reporting the results of processing of each selected accounts (col. 13, lines 61 to col. 14, lines 16, Landry).

Regarding claims 3 and 43, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: further comprising the step of: storing the results of processing of each selected accounts (col. 14, lines 17-39, Landry).

Regarding claims 4 and 44, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of identifying includes validating said records (col. 20, lines 19-39, Landry).

Regarding claims 5 and 45, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of selecting further comprises; selecting preexisting ones of said accounts prior to new ones of said accounts (col. 20, lines 41-54, Landry).

Regarding claims 7 and 46, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein said control cycle is determined autonomously (col. 34, lines 29-55, Landry).

Regarding claims 8 and 47, most of the limitations of these claims have been noted in the rejection of claims 7 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: where said control cycle is selected from the group consisting of daily, day specific, weekly, monthly, quarterly, yearly (col. 34, lines 29-55, Landry).

Regarding claims 9 and 48, most of the limitations of these claims have been noted in the rejection of claims 6 and 47 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein said control cycle is determined manually (col. 34, lines 29-55, Landry).

Regarding claims 10 and 49, most of the limitations of these claims have been noted in the rejection of claims 2 and 42 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein said step of reporting occurs at preselected intervals (col. 13, lines 61 to col. 14, lines 16, Landry).

Regarding claims 11 and 50, most of the limitations of these claims have been noted in the rejection of claims 2 and 42 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of reporting occurs upon detection of a predetermined event (col. 21, lines 1-25, Landry).

Regarding claims 12 and 51, most of the limitations of these claims have been noted in the rejection of claims 3 and 43 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein said step of storing occurs at preselected intervals (billing cycle)(col. 5, lines 42-52, Owens).

Regarding claims 13 and 52, most of the limitations of these claims have been noted in the rejection of claims 3 and 43 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of storing occurs upon detection of a predetermined event (lock access)(col. 5, lines 42-52, Owens).

Regarding claims 14 and 53, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of processing comprises debiting said selected ones of said accounts (col. 24, lines 41-62, Landry).

Regarding claims 15 and 54, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of processing comprises reconciling said selected ones of said accounts (col. 27, lines 53-67, Landry).

Regarding claims 16 and 55, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of processing comprises creating bills (col. 26, lines 36-56, Landry).

Regarding claims 17 and 56, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition,



Landry/Spencer/Owens discloses: wherein the step of processing comprises determining disbursements (col. 24, lines 41-62, Landry).

Regarding claims 18 and 57, most of the limitations of these claims have been noted in the rejection of claims 1 and 41 above, respectively. In addition, Landry/Spencer/Owens discloses: wherein the step of processing comprises generating notices (col. 21, lines 66 to col. 22, lines 16, Landry).

Regarding claim 19, Landry discloses the system and method for processing account information contained in batch process files in an on-line like manner, said method comprising:

Input means operable to read at least one batch file containing a plurality of records (payor records), each of said plurality of records an associated with one of a plurality of accounts (payoraccount) (col. 13, lines 35-60, Landry);

identifying which of said plurality of records relate to same ones of said plurality of accounts (col. 13, lines 60 to col. 14, lines 16, Landry);

processing each of said records identified as relating to said selected one of said accounts prior to processing any of said records relating to any other of said plurality of accounts (col. 13, lines 35-60, Landry).

However, Landry didn't disclose: selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing said restricted access to said selected account after all of said records identified as related to said selected account are processed. On the other hand, Owens discloses: selecting

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one of said accounts in accordance with a control cycle and restricting access selected account (col. 5, lines 42-52, Owens) and removing said restricted access to said selected account after all of said records identified as related to said selected account are processed (col. 5, lines 53-58, Owens). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step selecting one of said accounts in accordance with a control cycle and restricting access selected account and removing the restricted account in the system Landry as taught by Owens. The motivation being to enable the system that locks an account while the account is being billed and then releases the account for providing a clean accounting close for a real time transaction processing system (col. 1, lines 65 to col. 2, lines 1, Owens)

Landry/Spender/Landry discloses: wherein, the step of selecting one of said accounts in accordance with a control cycle and restricting access to said selected account includes de-queuing the account to be process(col. 7, lines 20-44, Spencer) and (col. 5, lines 53-58, Owens).

Regarding claim 20, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: further comprising the step of: reporting the results of processing of each selected accounts (col. 13, lines 61 to col. 14, lines 16, Landry).

Regarding claim 21, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: further

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comprising the step of: storing the results of processing of each selected accounts (col. 14, lines 17-39, Landry).

Regarding claim 22, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: wherein the step of identifying includes validating said records (col. 20, lines 19-39, Landry).

Regarding claim 23, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: wherein the step of selecting further comprises; selecting preexisting ones of said accounts prior to new ones of said accounts (col. 20, lines 41-54, Landry).

Regarding claim 25, most of the limitations of this claim have been noted in the rejection of claims 1 and 19 above, respectively. In addition, Landry/Owens discloses: wherein said control cycle is determined autonomously (col. 34, lines 29-55, Landry).

Regarding claim 26, most of the limitations of this claim have been noted in the rejection of claim 25 above, respectively. In addition, Landry/Owens discloses: where said control cycle is selected from the group consisting of daily, day specific, weekly, monthly, quarterly, yearly (col. 34, lines 29-55, Landry).

Regarding claim 27, most of the limitations of this claim have been noted in the rejection of claim 24 above, respectively. In addition, Landry/Owens discloses: wherein said control cycle is determined manually (col. 34, lines 29-55, Landry).

Regarding claim 28, most of the limitations of this claim have been noted in the rejection of claim 20 above, respectively. In addition, Landry/Owens discloses: wherein

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said step of reporting occurs at preselected intervals (col. 13, lines 61 to col. 14, lines 16, Landry).

Regarding claim 29, most of the limitations of this claim have been noted in the rejection of claim 20 above, respectively. In addition, Landry/Owens discloses: wherein the step of reporting occurs upon detection of a predetermined event (col. 21, lines 1-25, Landry).

Regarding claim 30, most of the limitations of this claim have been noted in the rejection of claim 21. In addition, Landry/Owens discloses: wherein said storing occurs at preselected intervals (updated) (col. 5, lines 42-52, Owens).

Regarding claim 31, most of the limitations of this claim have been noted in the rejection of claim 21. In addition, Landry/Owens discloses: wherein said storing occurs upon detection of a predetermined event (col. 14, lines 40-64, Landry).

Regarding claim 31, most of the limitations of this claim have been noted in the rejection of claim 21. In addition, Landry/Owens discloses: wherein said storing occurs upon detection of a predetermined event (col. 14, lines 40-64, Landry).

Regarding claim 32, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: wherein the step of processing comprises debiting said selected ones of said accounts (col. 24, lines 41-62, Landry).

Regarding claim 33, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: wherein

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the step of processing comprises reconciling said selected ones of said accounts (col. 27, lines 53-67, Landry).

Regarding claim 34, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: wherein the step of processing comprises creating bills (col. 26, lines 36-56, Landry).

Regarding claim 35, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: wherein the step of processing comprises determining disbursements (col. 24, lines 41-62, Landry).

Regarding claim 36, most of the limitations of this claim have been noted in the rejection of claim 19 above, respectively. In addition, Landry/Owens discloses: wherein the step of processing comprises generating notices (col. 21, lines 66 to col. 22, lines 16, Landry).

Regarding claim 40, most of the limitations of this claim have been noted in the rejection of claim 19. In addition, Landry/Owens discloses: wherein said input means is selected from the group consisting of: keyboard entry, punch cards, paper tape, magnetic tape, optical media, electronic media, touch-screen entry, communication network (col. 17, lines 39-55, Landry).

**3. Claims 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landry (U.S. 5956700) in view of Spencer (US 5197002) and further in view of Owens et al. (US 6092055) and further in view of Pare, Jr. et al. (U.S. 6154879) (Pare).**

Regarding claim 37, most of the limitations of this claim have been noted in the rejection of claim 19. However, Landry/Spencer/Owens didn't disclose: wherein said processor is further operable to: backup said selected ones of said accounts. On the other hand, Pare disclose: wherein said processor is further operable to: backup said selected ones of said accounts (col. 13, lines 25-30, Pare). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include step of backup said selected ones of said accounts in the combination system Landry/Owens as taught by Pars. The motivation being to improve ultimate recovery by reducing the time and controlling of any errors occur during the batch process.

Regarding claim 38, most of the limitations of this claim have been noted in the rejection of claim 37. In addition, Landry/Spencer/Owens discloses: wherein said backup occurs at preselected intervals (col. 25, lines 25-50, Landry).

Regarding claim 39, most of the limitations of this claim have been noted in the rejection of claim 37. In addition, Landry/Spencer/Owens discloses: wherein the step of storing occurs upon detection (lock) of a predetermined event (col. 5, lines 42-52, Owens).

#### **4. Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kenna et al. (U.S 6108641). Integrated nested account financial system with medical savings system with medical saving subaccount.

Hutchings (U.S 5940813). Process facility management matrix and system and method for performing batch processing in an on-line environments.

#### **5. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*cn*

Cindy Nguyen  
November 9, 2005

*Frantz Coby*  
**FRANTZ-COBY**  
**PRIMARY EXAMINER**